

# House File 742 - Enrolled

PAG LIN

HOUSE FILE 742

AN ACT

RELATING TO THE REGULATION OF SNOWMOBILES AND ALL-TERRAIN  
VEHICLES, AND PROVIDING FEES AND PENALTIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321.234A, subsection 3, Code 2007, is  
amended to read as follows:

3. An all-terrain vehicle that is owned by the owner of  
land adjacent to a highway, other than an interstate road, may  
be operated by the owner of the all-terrain vehicle, or by a  
member of the owner's family, on the portion of the highway  
right-of-way that is between the shoulder of the roadway, or  
at least five feet from the edge of the roadway, and the  
owner's property line. A person operating an all-terrain  
vehicle within the highway right-of-way under this subsection  
shall comply with the registration, safety, and age  
requirements under chapter 321I.

Sec. 2. Section 321G.1, Code 2007, is amended by adding  
the following new subsections:

NEW SUBSECTION. 5A. "Director" means the director of the  
department.

NEW SUBSECTION. 5B. "Distributor" means a person,  
resident or nonresident, who sells or distributes snowmobiles  
to snowmobile dealers in this state or who maintains  
distributor representatives.

Sec. 3. Section 321G.2, Code 2007, is amended by adding  
the following new subsection:

NEW SUBSECTION. 8. Issuance of annual user permits for  
nonresidents and establishment of administrative fees for  
issuance of the permits.

Sec. 4. Section 321G.3, Code 2007, is amended to read as  
follows:

321G.3 REGISTRATION ~~AND NUMBERING~~ REQUIRED == PENALTIES.

1. Each snowmobile used on public land or ice of this  
state shall be currently registered ~~and numbered~~. A person  
shall not operate, maintain, or give permission for the  
operation or maintenance of a snowmobile on public land or ice  
unless the snowmobile is ~~numbered~~ registered in accordance  
with this chapter or applicable federal laws, or the  
snowmobile displays a current annual user permit decal issued  
for the snowmobile ~~as provided in section 321G.4A. If the~~

~~snowmobile is required to be registered in this state, the  
identifying number set forth in the registration shall be  
displayed as prescribed by rules of the commission.~~

2. A registration ~~number certificate and registration  
decal~~ shall be assigned, without payment of fee, to  
snowmobiles owned by the state of Iowa or its political  
subdivisions ~~upon application for the number, and the assigned  
registration number.~~ The registration decal shall be  
displayed on the snowmobile as required under section 321G.5.  
A registration ~~number and~~ certificate shall be assigned,  
without payment of a registration fee, ~~to for~~ a snowmobile  
which is exempt from registration but is being titled, upon  
payment of a writing fee as provided in section 321G.27 and an  
administrative fee. A registration decal ~~displaying an audit~~  
~~number~~ shall not be issued and the registration shall not  
expire while the snowmobile is exempt. The application for  
registration and the registration certificate shall indicate  
the reason for exemption from the registration fee. ~~The  
registration certificate shall indicate the reason for  
exemption.~~

3. A violation of subsection 1 or 2 is punishable as a  
scheduled violation under section 805.8B, subsection 2,  
paragraph "a". When the scheduled fine is paid, the violator  
shall submit proof to the department that a valid registration  
or user permit has been obtained by providing a copy of the  
registration or user permit to the department within thirty  
1 days of the date the fine is paid. A person who violates this  
subsection is guilty of a simple misdemeanor.

Sec. 5. Section 321G.4, Code 2007, is amended to read as

3 4 follows:

3 5 321G.4 REGISTRATION == FEE.

3 6 1. The owner of each snowmobile required to be ~~numbered~~  
3 7 ~~registered~~ shall register it annually with the department  
3 8 ~~through the a county recorder of the county in which the owner~~  
3 9 ~~resides or, if the owner is a nonresident, the owner shall~~  
3 10 ~~register it in the county in which the snowmobile is~~  
3 11 ~~principally used.~~ The department shall develop and maintain  
3 12 an electronic system for the registration of snowmobiles  
3 13 pursuant to this chapter. The department shall establish  
3 14 forms and procedures as necessary for the registration of  
3 15 snowmobiles.

3 16 2. The owner of the snowmobile shall file an application  
3 17 for registration with the department through ~~the appropriate a~~  
3 18 county recorder in the manner established by the commission.  
3 19 The application shall be completed ~~and signed~~ by the owner and  
3 20 shall be accompanied by a fee of fifteen dollars and a writing  
3 21 ~~fee as provided in section 321G.27.~~ A snowmobile shall not be  
3 22 registered by the county recorder until the county recorder is  
3 23 presented with receipts, bills of sale, or other satisfactory  
3 24 evidence that the sales or use tax has been paid for the  
3 25 purchase of the snowmobile or that the owner is exempt from  
3 26 paying the tax. A snowmobile that has an expired registration  
3 27 certificate from another state may be registered in this state  
3 28 upon proper application, payment of all applicable  
3 29 registration and writing fees, and payment of a penalty of  
3 30 five dollars.

3 31 3. Upon receipt of the application in approved form  
3 32 accompanied by the required fees, the county recorder shall  
3 33 ~~register the snowmobile with the department and~~ issue to the  
3 34 applicant a registration certificate ~~and registration decal.~~  
3 35 ~~The registration certificate shall bear the number awarded to~~  
4 1 ~~the snowmobile and the name and address of the owner. The~~  
4 2 ~~registration decal shall be displayed on the snowmobile as~~  
4 3 ~~provided in section 321G.5.~~ The registration certificate  
4 4 shall be carried either in the snowmobile or on the person of  
4 5 the operator of the snowmobile when in use. The operator of a  
4 6 snowmobile shall exhibit the registration certificate to a  
4 7 peace officer upon request, to a person injured in an accident  
4 8 involving a snowmobile, to the owner or operator of another  
4 9 snowmobile or the owner of personal or real property when the  
4 10 snowmobile is involved in a collision or accident of any  
4 11 nature with another snowmobile or the property of another  
4 12 person, or to the property owner or tenant when the snowmobile  
4 13 is being operated on private property without permission from  
4 14 the property owner or tenant.

4 15 4. ~~If a snowmobile is placed in storage, the owner shall~~  
4 16 ~~return the current registration certificate to the county~~  
4 17 ~~recorder with an affidavit stating that the snowmobile is~~  
4 18 ~~placed in storage and the effective date of storage. The~~  
4 19 ~~county recorder shall notify the department of each snowmobile~~  
4 20 ~~placed in storage. When the owner of a stored snowmobile~~  
4 21 ~~desires to renew the registration, the owner shall make~~  
4 22 ~~application through the county recorder and pay the~~  
4 23 ~~registration and writing fees without penalty. A refund of~~  
4 24 ~~the registration fee shall not be allowed for a stored~~  
4 25 ~~snowmobile.~~

4 26 5. ~~4.~~ Notwithstanding subsections 1 and 2, a snowmobile  
4 27 that is more than thirty years old may be registered for a  
4 28 one-time fee of twenty-five dollars, which shall exempt the  
4 29 owner from annual registration and fee requirements for that  
4 30 snowmobile. However, if ownership of such a snowmobile is  
4 31 transferred, the new owner shall register the snowmobile and  
4 32 pay the one-time fee as required under this subsection.

4 33 Sec. 6. Section 321G.4A, Code 2007, is amended to read as  
4 34 follows:

4 35 321G.4A NONRESIDENT USER PERMITS.

5 1 1. A nonresident wishing to operate a snowmobile, other  
5 2 than a snowmobile registered pursuant to this chapter, on  
5 3 public land or ice of this state shall first obtain a user  
5 4 permit from the department. A user permit shall be issued for  
5 5 the snowmobile specified at the time of application and is not  
5 6 transferable. A user permit shall be valid for the calendar  
5 7 year ~~or time period~~ specified in the permit.

5 8 2. ~~User permits may be issued by a~~ A county recorder or a  
5 9 license agent ~~pursuant to rules adopted by the commission~~  
5 10 ~~designated by the director pursuant to section 483A.11 may~~  
5 11 ~~issue user permits.~~ The fee for a user permit shall be  
5 12 fifteen dollars plus an administrative fee established by the  
5 13 commission. A county recorder ~~or a license agent~~ shall retain  
5 14 a writing fee ~~of one dollar~~ from the sale of each user permit

~~5 15 issued by the county recorder's office as provided in section~~  
~~5 16 321G.27. The writing fees retained by the county recorder~~  
~~5 17 shall be deposited in the general fund of the county. A~~  
~~5 18 license agent designated by the director pursuant to section~~  
~~5 19 483A.11 shall retain a writing fee of one dollar from the sale~~  
~~5 20 of each permit issued by the agent.~~

5 21 Sec. 7. Section 321G.5, Code 2007, is amended to read as  
5 22 follows:

5 23 321G.5 DISPLAY OF ~~IDENTIFICATION NUMBERS~~ REGISTRATION AND  
5 24 USER PERMIT DECALS.

5 25 The owner shall display the ~~identification number~~  
5 26 registration decal or nonresident user permit decal on a  
5 27 snowmobile in the manner prescribed by the rules of the  
5 28 commission.

5 29 Sec. 8. Section 321G.6, Code 2007, is amended to read as  
5 30 follows:

5 31 321G.6 REGISTRATION == RENEWAL == TRANSFER.

5 32 1. Every snowmobile registration certificate and ~~number~~  
5 33 registration decal issued expires at midnight December 31  
5 34 unless sooner terminated or discontinued in accordance with  
5 35 this chapter or rules of the commission. After the first day  
6 1 of September each year, an unregistered snowmobile may be  
6 2 registered and a registration may be renewed in one  
6 3 transaction. The fee is five dollars for the remainder of the  
6 4 current year, in addition to the registration fee of fifteen  
6 5 dollars for the subsequent year beginning January 1, and a  
6 6 writing fee as provided in section 321G.27.

6 7 2. An expired registration may be renewed for the same fee  
6 8 as if the owner is securing the original registration plus a  
6 9 penalty of five dollars and a writing fee as provided in  
6 10 section 321G.27.

~~6 11 3. When a person, after registering a snowmobile, moves~~  
~~6 12 from the address shown on the registration certificate, the~~  
~~6 13 person shall, within thirty days, notify the county recorder~~  
~~6 14 in writing of the move and the person's new address.~~

~~6 15 4. Upon the transfer of ownership of a snowmobile, the~~  
~~6 16 owner shall complete the form on the back of the title, if~~  
~~6 17 any, and registration, if any, and deliver both to the~~  
~~6 18 purchaser or transferee when the snowmobile is delivered. If~~  
~~6 19 the snowmobile is not titled, the owner shall complete the~~  
~~6 20 form on the back of the current registration certificate and~~  
~~6 21 shall deliver the certificate to the purchaser or transferee~~  
~~6 22 at the time of delivering the snowmobile. If the snowmobile~~  
~~6 23 has not been titled and has not been registered, the owner~~  
~~6 24 shall deliver an affidavit for an unregistered and untitled~~  
~~6 25 snowmobile to the purchaser or transferee. The purchaser or~~  
~~6 26 transferee shall, within thirty days of transfer, file a new~~  
~~6 27 application form with the county recorder with a fee of one~~  
~~6 28 dollar and the writing fee, and a transfer of number shall be~~  
~~6 29 awarded in the same manner as provided in an original~~  
~~6 30 registration. If the purchaser or transferee does not file a~~  
~~6 31 new application form within thirty days of transfer, the~~  
~~6 32 transfer of number shall be awarded upon payment of all~~  
~~6 33 applicable fees plus a penalty of five dollars.~~

~~6 34 All registrations must be valid for the current~~  
~~6 35 registration period prior to the transfer of any registration,~~  
7 1 ~~including assignment to a dealer.~~

7 2 ~~5- 3. Duplicate registrations may be issued upon~~  
7 3 ~~application to the county recorder and the payment of the same~~  
7 4 ~~fees collected for the transfer of registrations a five dollar~~  
7 5 ~~fee plus a writing fee as provided in section 321G.27.~~

7 6 ~~6- 4. The department shall develop and maintain an~~  
7 7 ~~electronic system for residents to renew snowmobile~~  
7 8 ~~registrations pursuant to this section. A county recorder or~~  
7 9 ~~a license agent designated by the director pursuant to section~~  
7 10 ~~483A.11 may issue snowmobile registration renewals~~

7 11 ~~electronically pursuant to rules adopted by the commission.~~  
7 12 ~~The fee for a registration renewal issued using an electronic~~  
7 13 ~~system is fifteen dollars plus an administrative fee~~  
7 14 ~~established by the commission and a writing fee as provided in~~  
7 15 ~~section 321G.27. A county recorder shall retain a writing fee~~  
7 16 ~~of one dollar and twenty-five cents for each registration~~  
7 17 ~~renewal issued by the county recorder's office. The writing~~  
7 18 ~~fees retained by the county recorder shall be deposited in the~~  
7 19 ~~general fund of the county. A license agent designated by the~~  
7 20 ~~director pursuant to section 483A.11 shall retain a writing~~  
7 21 ~~fee of one dollar for each registration renewal issued.~~

7 22 Sec. 9. Section 321G.7, unnumbered paragraph 1, Code 2007,  
7 23 is amended to read as follows:

7 24 ~~Within ten days after the end of each month, a~~ A county  
7 25 recorder shall remit to the commission the snowmobile fees

7 26 collected by the recorder ~~during the previous month in the~~  
7 27 ~~manner and time prescribed by the department. Before January~~  
7 28 ~~10 of each year, a recorder shall remit to the commission~~  
7 29 ~~unused license forms from the previous year.~~  
7 30 Sec. 10. Section 321G.8, subsections 2 and 3, Code 2007,  
7 31 are amended by striking the subsections.  
7 32 Sec. 11. Section 321G.15, Code 2007, is amended to read as  
7 33 follows:  
7 34 321G.15 OPERATION PENDING REGISTRATION.  
7 35 The commission shall furnish snowmobile dealers with  
8 1 pasteboard cards bearing the words "registration applied for"  
8 2 and space for the date of purchase. An unregistered  
8 3 snowmobile sold by a dealer shall bear one of these cards  
8 4 which entitles the purchaser to operate it for ~~ten~~ forty-five  
8 5 days immediately following the purchase. The purchaser of a  
8 6 registered snowmobile may operate it for ~~ten~~ forty-five days  
8 7 immediately following the purchase, without having completed a  
8 8 transfer of registration. A snowmobile dealer shall make  
8 9 application and pay all registration and title fees if  
8 10 applicable on behalf of the purchaser of a snowmobile.  
8 11 Sec. 12. Section 321G.19, subsection 1, Code 2007, is  
8 12 amended to read as follows:  
8 13 1. The owner of a rented snowmobile shall keep a record of  
8 14 the name and address of each person renting the snowmobile,  
8 15 its registration ~~number~~ certificate, the departure date and  
8 16 time, and the expected time of return. The records shall be  
8 17 preserved for six months.  
8 18 Sec. 13. Section 321G.21, subsection 2, Code 2007, is  
8 19 amended to read as follows:  
8 20 2. ~~Any~~ Every manufacturer, distributor, or dealer ~~may,~~  
8 21 ~~upon payment of a fee of fifteen dollars, make~~ shall register  
8 22 ~~with the department by making application to the commission,~~  
8 23 ~~upon forms prescribed by the commission, for a special~~  
8 24 ~~registration certificate containing a general identification~~  
8 25 ~~number and for one or more duplicate special registration~~  
8 26 ~~certificates. The applicant shall pay a registration fee of~~  
8 27 ~~fifteen dollars and submit reasonable proof of the applicant's~~  
8 28 ~~status as a bona fide manufacturer, distributor, or dealer as~~  
8 29 ~~may be required by the commission.~~  
8 30 Sec. 14. Section 321G.21, subsections 6 and 8, Code 2007,  
8 31 are amended by striking the subsections.  
8 32 Sec. 15. Section 321G.21, subsection 9, Code 2007, is  
8 33 amended to read as follows:  
8 34 9. ~~If the purchaser or transferee of a snowmobile is a~~  
8 35 ~~dealer who holds the same for resale and operates the~~  
9 1 ~~snowmobile only for purposes incidental to a resale and~~  
9 2 ~~displays the special dealer's certificate, or does not operate~~  
9 3 ~~the snowmobile or permit it to be operated, the transferee is~~  
9 4 ~~not required to obtain a new registration certificate but upon~~  
9 5 ~~transferring title or interest to another person shall sign~~  
9 6 ~~the reverse side of the title, if any, and the registration~~  
9 7 ~~certificate of the snowmobile indicating the name and address~~  
9 8 ~~of the new purchaser. A dealer shall make application and pay~~  
9 9 ~~all registration and title fees if applicable on behalf of the~~  
9 10 ~~purchaser of a snowmobile. The recorder shall award a~~  
9 11 ~~transfer of the registration number. If the registration has~~  
9 12 ~~expired while in the dealer's possession, the purchaser may~~  
9 13 ~~renew the registration for the same fee and writing fee as if~~  
9 14 ~~the purchaser is securing the original registration.~~  
9 15 Sec. 16. Section 321G.21, subsection 10, Code 2007, is  
9 16 amended by striking the subsection.  
9 17 Sec. 17. Section 321G.21, Code 2007, is amended by adding  
9 18 the following new subsection:  
9 19 NEW SUBSECTION. 12. The department may adopt rules  
9 20 consistent with this chapter establishing minimum requirements  
9 21 for dealers. In adopting such rules, the department shall  
9 22 consider the need to protect persons, property, and the  
9 23 environment and to promote uniformity of practices relating to  
9 24 the sale and use of snowmobiles.  
9 25 Sec. 18. Section 321G.23, subsection 1, Code 2007, is  
9 26 amended to read as follows:  
9 27 1. The commission shall provide, by rules adopted pursuant  
9 28 to section 321G.2, for the establishment of certified courses  
9 29 of instruction to be conducted throughout the state for the  
9 30 safe use and operation of snowmobiles. The curriculum shall  
9 31 include instruction in the lawful and safe use, operation, and  
9 32 equipping of snowmobiles consistent with this chapter and  
9 33 rules adopted by the commission and the director of  
9 34 transportation and other matters the commission deems  
9 35 pertinent for a qualified snowmobile operator. The commission  
10 1 may establish a fee for the course which shall not exceed the

10 2 actual cost of instruction minus moneys received by the  
10 3 department from safety certificate fees under section 321G.24.  
10 4 Sec. 19. Section 321G.24, subsection 2, Code 2007, is  
10 5 amended to read as follows:  
10 6 2. Upon application and payment of a fee of five dollars,  
10 7 a qualified applicant shall be issued a safety certificate  
10 8 which is valid until the certificate is suspended or revoked  
10 9 by the director for a violation of a provision of this chapter  
10 10 or a rule of the commission or the director of transportation  
10 11 adopted pursuant to this chapter. The application shall be  
10 12 made on forms issued by the commission and shall contain  
10 13 information as the commission may reasonably require.  
10 14 Sec. 20. Section 321G.27, Code 2007, is amended to read as  
10 15 follows:  
10 16 321G.27 WRITING FEES.  
10 17 1. a. The county recorder shall collect a writing fee of  
10 18 one dollar and twenty-five cents for a snowmobile registration  
10 19 or for renewal of a registration by the county recorder's  
10 20 office.  
10 21 b. The county recorder shall retain a writing fee of one  
10 22 dollar and twenty-five cents from the sale of each user permit  
10 23 issued by the county recorder's office.  
10 24 c. Writing fees collected or retained by the county  
10 25 recorder under this chapter shall be deposited in the general  
10 26 fund of the county.  
10 27 2. a. A license agent shall collect a writing fee of one  
10 28 dollar for a snowmobile registration or for renewal of a  
10 29 registration by the license agent.  
10 30 b. A license agent shall retain a writing fee of one  
10 31 dollar from the sale of each user permit issued by the license  
10 32 agent.  
10 33 Sec. 21. Section 321G.29, subsections 1, 4, and 7, Code  
10 34 2007, are amended to read as follows:  
10 35 1. The owner of a snowmobile acquired on or after January  
11 1 1, 1998, other than a snowmobile used exclusively as a farm  
11 2 implement or a snowmobile more than thirty years old  
11 3 registered as provided in section 321G.4, subsection 5, shall  
11 4 apply to the county recorder of the county in which the owner  
11 5 resides for a certificate of title for the snowmobile. The  
11 6 owner of a snowmobile used exclusively as a farm implement may  
11 7 obtain a certificate of title. A person who owns a snowmobile  
11 8 that is not required to have a certificate of title may apply  
11 9 for and receive a certificate of title for the snowmobile and,  
11 10 subsequently, the snowmobile shall be subject to the  
11 11 requirements of this chapter as if the snowmobile were  
11 12 required to be titled. All snowmobiles that are titled shall  
11 13 be registered.  
11 14 4. If a dealer buys or acquires a snowmobile for resale,  
11 15 the dealer ~~shall report the acquisition to the county recorder~~  
11 16 ~~on forms provided by the department and~~ may apply for and  
11 17 obtain a certificate of title as provided in this chapter. If  
11 18 a dealer buys or acquires a used snowmobile, the dealer may  
11 19 apply for a certificate of title in the dealer's name within  
11 20 thirty days. If a dealer buys or acquires a new snowmobile  
11 21 for resale, the dealer may apply for a certificate of title in  
11 22 the dealer's name.  
11 23 7. The county recorder shall maintain a record of any  
11 24 certificate of title which the county recorder issues and  
11 25 shall keep each certificate of title on record until the  
11 26 certificate of title has been inactive for five years. When  
11 27 issuing a title for a new snowmobile, the county recorder  
11 28 shall obtain and keep on file a copy of the certificate of  
11 29 origin. When issuing a title and registration for a used  
11 30 snowmobile for which there is no title or registration, the  
11 31 county recorder shall obtain and keep on file the affidavit  
11 32 for the unregistered and untitled snowmobile.  
11 33 Sec. 22. Section 321G.29, subsection 10, Code 2007, is  
11 34 amended by striking the subsection.  
11 35 Sec. 23. Section 321G.30, subsections 2 and 4, Code 2007,  
12 1 are amended to read as follows:  
12 2 2. If a certificate of title is lost, stolen, mutilated,  
12 3 destroyed, or becomes illegible, the first lienholder or, if  
12 4 there is none, the owner named in the certificate, as shown by  
12 5 the county recorder's records, shall within thirty days obtain  
12 6 a duplicate by applying to the county recorder. The applicant  
12 7 shall furnish information the department requires concerning  
12 8 the original certificate and the circumstances of its loss,  
12 9 mutilation, or destruction. ~~Mutilated or illegible~~  
12 10 ~~certificates shall be returned to the department with the~~  
12 11 ~~application for a duplicate.~~  
12 12 4. If a lost or stolen original certificate of title for

12 13 which a duplicate has been issued is recovered, the original  
12 14 shall be surrendered promptly to the ~~department~~ county  
12 15 recorder for cancellation.

12 16 Sec. 24. Section 321G.32, subsection 3, Code 2007, is  
12 17 amended by striking the subsection and inserting in lieu  
12 18 thereof the following:

12 19 3. When a security interest is discharged, the secured  
12 20 party shall note the cancellation of the security interest on  
12 21 the face of the certificate of title and send the title by  
12 22 first class mail to the office of the county recorder where  
12 23 the title was issued. If the title has been lost or  
12 24 destroyed, the secured party may discharge the security  
12 25 interest by sending a signed, notarized statement to the  
12 26 office of the county recorder where the title was issued. The  
12 27 county recorder shall note the release of the security  
12 28 interest in the county records and attach the statement to the  
12 29 certificate of title as evidence of the release of the  
12 30 security interest.

12 31 Sec. 25. NEW SECTION. 321G.34 REPEAT OFFENDER ==  
12 32 RECORDS, ENFORCEMENT, AND PENALTIES.

12 33 1. The commission shall establish by rule a recordkeeping  
12 34 system and other administrative procedures necessary to  
12 35 administer this section.

13 1 2. A person who pleads guilty to or is convicted of a  
13 2 violation of any provision of this chapter while the person's  
13 3 registration privilege is suspended or revoked under  
13 4 administrative procedures is guilty of a simple misdemeanor if  
13 5 the person had no other violations within the previous three  
13 6 years which occurred while the person's registration privilege  
13 7 was suspended or revoked.

13 8 3. A person who pleads guilty to or is convicted of a  
13 9 violation of any provision of this chapter while the person's  
13 10 registration privilege is suspended or revoked under  
13 11 administrative procedures is guilty of a serious misdemeanor  
13 12 if the person had one other violation within the previous  
13 13 three years which occurred while the person's registration  
13 14 privilege was suspended or revoked.

13 15 4. A person who pleads guilty to or is convicted of a  
13 16 violation of any provision of this chapter while the person's  
13 17 registration privilege is suspended or revoked under  
13 18 administrative procedures is guilty of an aggravated  
13 19 misdemeanor if the person had two or more convictions within  
13 20 the previous three years which occurred while the person's  
13 21 registration privilege was suspended or revoked.

13 22 5. a. Upon the conviction of a person of any violation of  
13 23 this chapter or a rule adopted under this chapter, the court,  
13 24 as a part of the judgment, may suspend or revoke one or more  
13 25 snowmobile registration or user permit privileges of the  
13 26 person for any definite period.

13 27 b. The court shall revoke all of the person's snowmobile  
13 28 registrations or user permits and suspend the privilege of  
13 29 procuring a registration or user permit for a period of one  
13 30 year for any person who has been convicted twice within one  
13 31 year of trespassing while operating a snowmobile. A person  
13 32 shall not be issued a registration or user permit during the  
13 33 period of suspension or revocation.

13 34 Sec. 26. Section 321I.1, subsection 1, Code 2007, is  
13 35 amended to read as follows:

14 1 1. a. "All-terrain vehicle" means a motorized  
14 2 flotation-tire vehicle with not less than three ~~low-pressure~~  
~~14 3 tires, but and not more than six low-pressure tires, or a~~  
~~14 4 two-wheeled off-road motorcycle, that is limited in engine~~  
14 5 displacement to less than ~~eight hundred~~ one thousand cubic  
14 6 centimeters and in total dry weight to less than ~~eight hundred~~  
~~14 7 fifty one thousand pounds and that has a seat or saddle~~  
14 8 designed to be straddled by the operator and handlebars for  
14 9 steering control.

14 10 b. ~~Two-wheeled off-road~~ Off-road motorcycles shall be  
14 11 considered all-terrain vehicles for the purpose of  
14 12 registration. ~~Two-wheeled off-road~~ Off-road motorcycles shall  
14 13 also be considered all-terrain vehicles for the purpose of  
14 14 titling if a title has not previously been issued pursuant to  
14 15 chapter 321. An operator of a ~~two-wheeled~~ an off-road  
14 16 motorcycle is subject to provisions governing the operation of  
~~14 17 all-terrain vehicles in this chapter, but is exempt from the~~  
14 18 safety instruction and certification program requirements of  
14 19 sections 321I.25 and 321I.26.

14 20 c. Off-road utility vehicles shall be considered all-  
14 21 terrain vehicles for the purpose of registration, but are  
14 22 exempt from the dealer registration requirements and the  
14 23 titling requirements of this chapter. An operator of an

14 24 off=road utility vehicle is subject to provisions governing  
14 25 the operation of all=terrain vehicles in section 321.234A and  
14 26 this chapter, but is exempt from the safety instruction and  
14 27 certification program requirements of sections 321I.25 and  
14 28 321I.26. A motorized vehicle that was previously titled or is  
14 29 currently titled under chapter 321 shall not be registered or  
14 30 operated as an off=road utility vehicle.

14 31 Sec. 27. Section 321I.1, Code 2007, is amended by adding  
14 32 the following new subsections:  
14 33 NEW SUBSECTION. 5A. "Designated riding area" means an  
14 34 all=terrain vehicle riding area on any public land or ice  
14 35 under the jurisdiction of the department that has been  
15 1 designated by the department for all=terrain vehicle use.  
15 2 NEW SUBSECTION. 5B. "Designated riding trail" means an  
15 3 all=terrain vehicle riding trail on any public land or ice  
15 4 under the jurisdiction of the department that has been  
15 5 designated by the department for all=terrain vehicle use.  
15 6 NEW SUBSECTION. 5C. "Director" means the director of the  
15 7 department.  
15 8 NEW SUBSECTION. 5D. "Direct supervision" means to provide  
15 9 supervision of another person while maintaining visual and  
15 10 verbal contact at all times.

15 11 NEW SUBSECTION. 5E. "Distributor" means a person,  
15 12 resident or nonresident, who sells or distributes all=terrain  
15 13 vehicles to all=terrain vehicle dealers in this state or who  
15 14 maintains distributor representatives.

15 15 NEW SUBSECTION. 9A. "Off=road motorcycle" means a  
15 16 two=wheeled motor vehicle that has a seat or saddle designed  
15 17 to be straddled by the operator and handlebars for steering  
15 18 control and that is intended by the manufacturer for use on  
15 19 natural terrain. "Off=road motorcycle" includes a motorcycle  
15 20 that was originally issued a certificate of title and  
15 21 registered for highway use under chapter 321, but which  
15 22 contains design features that enable operation over natural  
15 23 terrain.

15 24 NEW SUBSECTION. 9B. "Off=road utility vehicle" means a  
15 25 motorized flotation=tire vehicle with not less than four and  
15 26 not more than six low=pressure tires that is limited in engine  
15 27 displacement to less than one thousand five hundred cubic  
15 28 centimeters and in total dry weight to not more than one  
15 29 thousand eight hundred pounds and that has a seat that is of  
15 30 bench design, not intended to be straddled by the operator,  
15 31 and a steering wheel for control.

15 32 Sec. 28. Section 321I.3, Code 2007, is amended to read as  
15 33 follows:

15 34 321I.3 REGISTRATION ~~AND NUMBERING~~ REQUIRED == PENALTIES.

15 35 1. Each all=terrain vehicle used on public land or ice of  
16 1 this state shall be currently registered ~~and numbered~~. A  
16 2 person shall not operate, maintain, or give permission for the  
16 3 operation or maintenance of an all=terrain vehicle on public  
16 4 land or ice unless the all=terrain vehicle is ~~numbered~~  
16 5 ~~registered~~ in accordance with this chapter or applicable  
16 6 federal laws, or ~~unless~~ the all=terrain vehicle displays a  
16 7 current annual user permit decal issued for the all=terrain  
16 8 vehicle as provided in section 321I.5. ~~If the all=terrain~~  
16 9 ~~vehicle is required to be registered in this state, the~~  
16 10 ~~identifying number set forth in the registration shall be~~  
16 11 ~~displayed as prescribed by rules of the commission.~~

16 12 2. A registration ~~number certificate and registration~~  
16 13 ~~decal~~ shall be assigned, without payment of fee, to  
16 14 all=terrain vehicles owned by the state of Iowa or its  
16 15 political subdivisions ~~upon application for the number, and~~  
16 16 ~~the assigned registration number. The registration decal~~  
16 17 ~~shall be displayed on the all=terrain vehicle as required~~  
16 18 ~~under section 321I.6. A registration number and certificate~~  
16 19 ~~shall be assigned, without payment of a registration fee, to~~  
16 20 ~~for an all=terrain vehicle which is exempt from registration~~  
16 21 ~~but is being titled, upon payment of a writing fee as provided~~  
16 22 ~~in section 321I.29 and an administrative fee. A registration~~  
16 23 ~~decal displaying an audit number shall not be issued and the~~  
16 24 ~~registration shall not expire while the all=terrain vehicle is~~  
16 25 ~~exempt. The application for registration and the registration~~  
16 26 ~~certificate shall indicate the reason for exemption from the~~  
16 27 ~~registration fee. The registration certificate shall indicate~~  
16 28 ~~the reason for exemption.~~

16 29 3. A violation of subsection 1 or 2 is punishable as a  
16 30 scheduled violation under section 805.8B, subsection 2A,  
16 31 paragraph "a". When the scheduled fine is paid, the violator  
16 32 shall submit proof to the department that a valid registration  
16 33 or user permit has been obtained by providing a copy of the  
16 34 registration or user permit to the department within thirty

16 35 days of the date the fine is paid. A person who violates this  
17 1 subsection is guilty of a simple misdemeanor.

17 2 Sec. 29. Section 321I.4, Code 2007, is amended to read as  
17 3 follows:

17 4 321I.4 REGISTRATION WITH COUNTY RECORDER == FEE.

17 5 1. The owner of each all-terrain vehicle required to be  
17 6 ~~numbered registered~~ shall register it annually with the  
17 7 ~~department through a county recorder of the county in which~~  
17 8 ~~the owner resides or, if the owner is a nonresident, the owner~~  
17 9 ~~shall register it in the county in which the all-terrain~~  
17 10 ~~vehicle is principally used. The department shall develop and~~  
17 11 ~~maintain an electronic system for the registration of~~

17 12 ~~all-terrain vehicles pursuant to this chapter. The commission~~  
17 13 ~~has supervisory responsibility over department shall establish~~  
17 14 ~~forms and procedures as necessary for the registration of~~  
17 15 ~~all-terrain vehicles and shall provide each county recorder~~  
17 16 ~~with registration forms and certificates and shall allocate~~  
17 17 ~~registration numbers to each county.~~

17 18 2. The owner of the all-terrain vehicle shall file an  
17 19 application for registration with the ~~appropriate department~~  
17 20 ~~through a county recorder on forms provided in the manner~~  
17 21 ~~established by the commission. The application shall be~~  
17 22 ~~completed and signed by the owner of the all-terrain vehicle~~  
17 23 ~~and shall be accompanied by a fee of fifteen dollars and a~~  
17 24 ~~writing fee as provided in section 321I.29. An all-terrain~~  
17 25 ~~vehicle shall not be registered by the county recorder until~~  
17 26 ~~the county recorder is presented with receipts, bills of sale,~~  
17 27 ~~or other satisfactory evidence that the sales or use tax has~~  
17 28 ~~been paid for the purchase of the all-terrain vehicle or that~~  
17 29 ~~the owner is exempt from paying the tax. An all-terrain~~  
17 30 ~~vehicle that has an expired registration certificate from~~  
17 31 ~~another state may be registered in this state upon proper~~  
17 32 ~~application, payment of all applicable registration and~~  
17 33 ~~writing fees, and payment of a penalty of five dollars.~~

17 34 3. Upon receipt of the application in approved form  
17 35 accompanied by the required fees, the county recorder shall  
18 1 ~~enter it upon the records and shall issue to the applicant a~~  
18 2 ~~registration certificate and registration decal. The~~  
18 3 ~~certificate shall be executed in triplicate, one copy to be~~  
18 4 ~~delivered to the owner, one copy to the commission, and one~~  
18 5 ~~copy to be retained on file by the county recorder. The~~  
18 6 ~~registration certificate shall bear the number awarded to the~~  
18 7 ~~all-terrain vehicle and the name and address of the owner.~~  
18 8 ~~The registration decal shall be displayed on the all-terrain~~  
18 9 ~~vehicle as provided in section 321I.6. The registration~~  
18 10 ~~certificate shall be carried either in the all-terrain vehicle~~  
18 11 ~~or on the person of the operator of the all-terrain vehicle~~  
18 12 ~~when in use. The operator of an all-terrain vehicle shall~~  
18 13 ~~exhibit the registration certificate to a peace officer upon~~  
18 14 ~~request, to a person injured in an accident involving an~~  
18 15 ~~all-terrain vehicle, to the owner or operator of another~~  
18 16 ~~all-terrain vehicle or the owner of personal or real property~~  
18 17 ~~when the all-terrain vehicle is involved in a collision or~~  
18 18 ~~accident of any nature with another all-terrain vehicle or the~~  
18 19 ~~property of another person, or to the property owner or tenant~~  
18 20 ~~when the all-terrain vehicle is being operated on private~~  
18 21 ~~property without permission from the property owner or tenant.~~

18 22 4. ~~If an all-terrain vehicle is placed in storage, the~~  
18 23 ~~owner shall return the current registration certificate to the~~  
18 24 ~~county recorder with an affidavit stating that the all-terrain~~  
18 25 ~~vehicle is placed in storage and the effective date of~~  
18 26 ~~storage. The county recorder shall notify the commission of~~  
18 27 ~~each all-terrain vehicle placed in storage. When the owner of~~  
18 28 ~~a stored all-terrain vehicle desires to renew the~~  
18 29 ~~registration, the owner shall make application to the county~~  
18 30 ~~recorder and pay the registration and writing fees without~~  
18 31 ~~penalty. A refund of the registration fee shall not be~~  
18 32 ~~allowed for a stored all-terrain vehicle.~~

18 33 Sec. 30. Section 321I.5, Code 2007, is amended to read as  
18 34 follows:

18 35 321I.5 NONRESIDENT USER PERMITS.

19 1 1. A nonresident wishing to operate an all-terrain  
19 2 vehicle, other than an all-terrain vehicle owned by a resident  
19 3 and registered pursuant to this chapter, on public land or ice  
19 4 of this state shall first obtain a user permit from the  
19 5 department. A user permit shall be issued for the all-terrain  
19 6 vehicle specified at the time of application and is not  
19 7 transferable. A user permit shall be valid for the calendar  
19 8 year ~~or time period~~ specified in the permit.

19 9 2. ~~User permits may be issued by a~~ A county recorder or a  
19 10 ~~license depositary pursuant to rules adopted by the commission~~



19 11 agent designated by the director pursuant to section 483A.11  
19 12 may issue user permits. The fee for a user permit shall be  
19 13 fifteen dollars plus an administrative fee established by the  
19 14 commission. A county recorder or a license agent shall retain  
19 15 a writing fee of ~~one dollar~~ from the sale of each user permit  
19 16 ~~issued by the county recorder's office as provided in section~~  
19 17 ~~321I.29.~~ The writing fees retained by the county recorder  
19 18 ~~shall be deposited in the general fund of the county. A~~  
19 19 ~~license depositary designated by the director pursuant to~~  
19 20 ~~section 483A.11 shall retain a writing fee of one dollar from~~  
19 21 ~~the sale of each permit issued by the agent.~~

19 22 Sec. 31. Section 321I.6, Code 2007, is amended to read as  
19 23 follows:

19 24 321I.6 DISPLAY OF ~~IDENTIFICATION NUMBERS~~ REGISTRATION AND  
19 25 USER PERMIT DECALS.

19 26 The owner shall display the ~~identification number~~  
19 27 registration decal or nonresident user permit decal on an  
19 28 all-terrain vehicle in the manner prescribed by rules of the  
19 29 commission.

19 30 Sec. 32. Section 321I.7, Code 2007, is amended to read as  
19 31 follows:

19 32 321I.7 REGISTRATION == RENEWAL == TRANSFER.

19 33 1. a. Every all-terrain vehicle registration certificate  
19 34 and ~~number~~ registration decal expires at midnight  
19 35 December 31 unless sooner terminated or discontinued in

20 1 accordance with this chapter or rules of the commission.  
20 2 After the first day of September each year, an unregistered  
20 3 all-terrain vehicle may be registered or a registration may be  
20 4 renewed for the subsequent year beginning January 1.

20 5 b. After the first day of September an unregistered  
20 6 all-terrain vehicle may be registered for the remainder of the  
20 7 current registration year and for the subsequent registration  
20 8 year in one transaction. The fee shall be five dollars for  
20 9 the remainder of the current year, in addition to the  
20 10 registration fee of fifteen dollars for the subsequent year  
20 11 beginning January 1, and a writing fee as provided in section  
20 12 321I.29. ~~Registration certificates and numbers may be renewed~~

20 13 ~~upon application of the owner in the same manner as provided~~  
20 14 ~~in securing the original registration. The all-terrain~~  
20 15 ~~vehicle registration fee is in lieu of personal property tax~~  
20 16 ~~for each year of the registration.~~

20 17 2. An expired all-terrain vehicle registration may be  
20 18 renewed for the same fee as if the owner is securing the  
20 19 original registration plus a penalty of five dollars and a  
20 20 writing fee as provided in section 321I.29.

20 21 3. ~~When a person, after registering an all-terrain~~  
20 22 ~~vehicle, moves from the address shown on the registration~~  
20 23 ~~certificate, the person shall, within thirty days, notify the~~  
20 24 ~~county recorder in writing of the move and the person's new~~  
20 25 ~~address.~~

20 26 4. ~~Upon the transfer of ownership of an all-terrain~~  
20 27 ~~vehicle, the owner shall complete the form on the back of the~~  
20 28 ~~title, if any, and registration, if any, and deliver both to~~  
20 29 ~~the purchaser or transferee when the all-terrain vehicle is~~  
20 30 ~~delivered. If the all-terrain vehicle is not titled, the~~  
20 31 ~~owner shall complete the form on the back of the current~~  
20 32 ~~registration certificate and shall deliver the certificate to~~  
20 33 ~~the purchaser or transferee at the time of delivering the~~  
20 34 ~~all-terrain vehicle. If the all-terrain vehicle has not been~~  
20 35 ~~titled and has not been registered, the owner shall deliver an~~  
21 1 ~~affidavit for an unregistered and untitled all-terrain vehicle~~  
21 2 ~~to the purchaser or transferee. The purchaser or transferee~~  
21 3 ~~shall, within thirty days of transfer, file a new application~~  
21 4 ~~form with the county recorder with a fee of one dollar and the~~  
21 5 ~~writing fee, and a transfer of number shall be awarded in the~~  
21 6 ~~same manner as provided in an original registration. If the~~  
21 7 ~~purchaser or transferee does not file a new application form~~  
21 8 ~~within thirty days of transfer, the transfer of number shall~~  
21 9 ~~be awarded upon payment of all applicable fees plus a penalty~~  
21 10 ~~of five dollars.~~

21 11 ~~All registrations must be valid for the current~~  
21 12 ~~registration period prior to the transfer of any registration,~~  
21 13 ~~including assignment to a dealer.~~

21 14 5- ~~3.~~ Duplicate registrations may be issued upon  
21 15 application to the county recorder and the payment of ~~the same~~  
21 16 ~~fees collected for the transfer of registrations a five dollar~~  
21 17 ~~fee plus a writing fee as provided in section 321I.29.~~

21 18 6- ~~4.~~ A motorcycle, as defined in section 321.1,  
21 19 subsection 40, paragraph "a", may be registered as an  
21 20 all-terrain vehicle as provided in this section. A motorcycle  
21 21 registered as an all-terrain vehicle may participate in all

21 22 programs established for all-terrain vehicles under this  
21 23 chapter except for the safety instruction and certification  
21 24 program.  
21 25 5. A county recorder or a license agent designated by the  
21 26 director pursuant to section 483A.11 may issue all-terrain  
21 27 vehicle registration renewals electronically pursuant to rules  
21 28 adopted by the commission. The fee for a registration renewal  
21 29 issued using an electronic system is fifteen dollars plus an  
21 30 administrative fee established by the commission and a writing  
21 31 fee as provided in section 321I.29.  
21 32 Sec. 33. Section 321I.8, unnumbered paragraph 1, Code  
21 33 2007, is amended to read as follows:  
21 34 ~~Within ten days after the end of each month, a A county~~  
21 35 ~~recorder shall remit to the commission the all-terrain vehicle~~  
22 1 ~~fees collected by the recorder during the previous month in~~  
22 2 ~~the manner and time prescribed by the department. Before~~  
22 3 ~~January 10 of each year, a recorder shall remit to the~~  
22 4 ~~commission unused license forms from the previous year.~~  
22 5 Sec. 34. Section 321I.9, subsections 2, 3, and 4, Code  
22 6 2007, are amended by striking the subsections.  
22 7 Sec. 35. Section 321I.12, subsection 1, Code 2007, is  
22 8 amended to read as follows:  
22 9 1. An all-terrain vehicle shall not be operated without  
22 10 suitable and effective muffling devices ~~which limit engine~~  
22 11 ~~noise to not more than eighty-six decibels as measured on the~~  
22 12 ~~"A" scale at a distance of fifty feet. An all-terrain vehicle~~  
22 13 ~~shall comply with the sound level standards and testing~~  
22 14 ~~procedures established by the society of automotive engineers~~  
22 15 ~~under SAE J1287.~~  
22 16 Sec. 36. Section 321I.14, subsection 1, paragraph g, Code  
22 17 2007, is amended by striking the paragraph and inserting in  
22 18 lieu thereof the following:  
22 19 g. In any park, wildlife area, preserve, refuge, game  
22 20 management area, or any portion of a meandered stream, or any  
22 21 portion of the bed of a nonmeandered stream which has been  
22 22 identified as a navigable stream or river by rule adopted by  
22 23 the department and which is covered by water, except on  
22 24 designated riding areas and designated riding trails. This  
22 25 paragraph does not prohibit the use of ford crossings of  
22 26 public roads or any other ford crossing when used for  
22 27 agricultural purposes; the operation of construction vehicles  
22 28 engaged in lawful construction, repair, or maintenance in a  
22 29 streambed; or the operation of all-terrain vehicles on ice.  
22 30 Sec. 37. Section 321I.14, Code 2007, is amended by adding  
22 31 the following new subsections:  
22 32 NEW SUBSECTION. 4. A person shall not operate an off-road  
22 33 utility vehicle on a designated riding area or designated  
22 34 riding trail unless the riding area or trail is signed by the  
22 35 department as open to off-road utility vehicle operation.  
23 1 NEW SUBSECTION. 5. A person shall not operate a vehicle  
23 2 other than an all-terrain vehicle on a designated riding area  
23 3 or designated riding trail unless the riding area or trail is  
23 4 signed by the department as open to such other use.  
23 5 Sec. 38. Section 321I.16, Code 2007, is amended to read as  
23 6 follows:  
23 7 321I.16 OPERATION PENDING REGISTRATION.  
23 8 The commission shall furnish all-terrain vehicle dealers  
23 9 with pasteboard cards bearing the words "registration applied  
23 10 for" and space for the date of purchase. An unregistered  
23 11 all-terrain vehicle sold by a dealer shall bear one of these  
23 12 cards which entitles the purchaser to operate it for ~~ten~~  
23 13 forty=five days immediately following the purchase. The  
23 14 purchaser of a registered all-terrain vehicle may operate it  
23 15 for ~~ten~~ forty=five days immediately following the purchase,  
23 16 without having completed a transfer of registration. An  
23 17 all-terrain vehicle dealer shall make application and pay all  
23 18 registration and title fees if applicable on behalf of the  
23 19 purchaser of an all-terrain vehicle.  
23 20 Sec. 39. Section 321I.20, subsection 1, Code 2007, is  
23 21 amended to read as follows:  
23 22 1. The owner of a rented all-terrain vehicle shall keep a  
23 23 record of the name and address of each person renting the  
23 24 all-terrain vehicle, its registration ~~number certificate~~, the  
23 25 departure date and time, and the expected time of return. The  
23 26 records shall be preserved for six months.  
23 27 Sec. 40. Section 321I.21, Code 2007, is amended to read as  
23 28 follows:  
23 29 321I.21 MINORS UNDER TWELVE == SUPERVISION.  
23 30 A person under twelve years of age shall not operate an  
23 31 all-terrain vehicle ~~on public lands, including an off-road~~  
23 32 motorcycle, on a designated riding area or designated riding

23 33 trail or on ice unless the one of the following applies:

23 34 1. The person is taking a prescribed safety training  
23 35 course and the operation is under the direct supervision of a  
24 1 certified all-terrain vehicle safety instructor, and a

24 2 2. The operation is under the direct supervision of a  
24 3 responsible parent or guardian of at least eighteen years of  
24 4 age who is experienced in all-terrain vehicle operation or  
24 5 off-road motorcycle operation and who possesses a valid  
24 6 driver's license as defined in section 321I.1.

24 7 Sec. 41. Section 321I.22, subsection 2, Code 2007, is  
24 8 amended to read as follows:

24 9 2. ~~Any~~ Every manufacturer, distributor, or dealer ~~may,~~  
24 10 ~~upon payment of a fee of fifteen dollars, make~~ shall register  
24 11 ~~with the department by making~~ application to the commission,  
24 12 upon forms prescribed by the commission, for a special  
24 13 registration certificate containing a general identification  
24 14 number and for one or more duplicate special registration  
24 15 certificates. The applicant shall pay a registration fee of  
24 16 fifteen dollars and submit reasonable proof of the applicant's  
24 17 status as a bona fide manufacturer, distributor, or dealer as  
24 18 may be required by the commission.

24 19 Sec. 42. Section 321I.22, subsections 6 and 8, Code 2007,  
24 20 are amended by striking the subsections.

24 21 Sec. 43. Section 321I.22, subsection 9, Code 2007, is  
24 22 amended to read as follows:

24 23 9. ~~If the purchaser or transferee of an all-terrain~~  
24 24 ~~vehicle is a dealer who holds the same for resale and operates~~  
24 25 ~~the all-terrain vehicle only for purposes incidental to a~~  
24 26 ~~resale and displays the special dealer's certificate, or does~~  
24 27 ~~not operate the all-terrain vehicle or permit it to be~~  
24 28 ~~operated, the transferee is not required to obtain a new~~  
24 29 ~~registration certificate but upon transferring title or~~  
24 30 ~~interest to another person shall sign the reverse side of the~~  
24 31 ~~title, if any, and the registration certificate of the~~  
24 32 ~~all-terrain vehicle indicating the name and address of the new~~

24 33 ~~purchaser.~~ A dealer shall make application and pay all  
24 34 registration and title fees if applicable on behalf of the  
24 35 purchaser of an all-terrain vehicle. ~~The recorder shall award~~  
25 1 ~~a transfer of the registration number.~~ If the registration  
25 2 has expired while in the dealer's possession, the purchaser  
25 3 may renew the registration for the same fee and writing fee as  
25 4 if the purchaser is securing the original registration.

25 5 Sec. 44. Section 321I.22, subsection 10, Code 2007, is  
25 6 amended by striking the subsection.

25 7 Sec. 45. Section 321I.22, Code 2007, is amended by adding  
25 8 the following new subsection:

25 9 NEW SUBSECTION. 12. The department may adopt rules  
25 10 consistent with this chapter establishing minimum requirements  
25 11 for dealers. In adopting such rules, the department shall  
25 12 consider the need to protect persons, property, and the  
25 13 environment and to promote uniformity of practices relating to  
25 14 the sale and use of all-terrain vehicles.

25 15 Sec. 46. Section 321I.25, subsection 1, Code 2007, is  
25 16 amended to read as follows:

25 17 1. The commission shall provide, by rules adopted pursuant  
25 18 to section 321I.2, for the establishment of certified courses  
25 19 of instruction to be conducted throughout the state for the  
25 20 safe use and operation of all-terrain vehicles. The  
25 21 curriculum shall include instruction in the lawful and safe  
25 22 use, operation, and equipping of all-terrain vehicles  
25 23 consistent with this chapter and rules adopted by the  
25 24 commission and the director of transportation and other  
25 25 matters the commission deems pertinent for a qualified  
25 26 all-terrain vehicle operator. The commission may establish a  
25 27 fee for the course which shall not exceed the actual cost of  
25 28 instruction minus moneys received by the department from  
25 29 safety certificate fees under section 321I.26.

25 30 Sec. 47. Section 321I.26, subsections 1 and 2, Code 2007,  
25 31 are amended to read as follows:

25 32 1. A person ~~under twelve years of age or older but less~~  
25 33 ~~than~~ eighteen years of age shall not operate an all-terrain  
25 34 vehicle on public land or ice or land purchased with  
25 35 all-terrain vehicle registration funds in this state without  
26 1 obtaining a valid safety certificate issued by the department  
26 2 and having the certificate in the person's possession.

26 3 2. Upon application and payment of a fee of five dollars,  
26 4 a qualified applicant shall be issued a safety certificate  
26 5 which is valid until the certificate is suspended or revoked  
26 6 by the director for a violation of a provision of this chapter  
26 7 or a rule of the commission or the director of transportation  
26 8 adopted pursuant to this chapter. The application shall be

26 9 made on forms issued by the commission and shall contain  
26 10 information as the commission may reasonably require.  
26 11 Sec. 48. Section 321I.29, Code 2007, is amended to read as  
26 12 follows:  
26 13 321I.29 WRITING FEES.  
26 14 1. a. The county recorder shall collect a writing fee of  
26 15 one dollar and twenty-five cents for an all-terrain vehicle  
26 16 registration or for renewal of a registration by the county  
26 17 recorder's office.  
26 18 b. The county recorder shall retain a writing fee of one  
26 19 dollar and twenty-five cents from the sale of each user permit  
26 20 issued by the county recorder's office.  
26 21 c. Writing fees collected or retained by the county  
26 22 recorder under this chapter shall be deposited in the general  
26 23 fund of the county.  
26 24 2. a. A license agent shall collect a writing fee of one  
26 25 dollar for an all-terrain vehicle registration or for renewal  
26 26 of a registration issued by the license agent.  
26 27 b. A license agent shall retain a writing fee of one  
26 28 dollar from the sale of each user permit issued by the license  
26 29 agent.  
26 30 Sec. 49. Section 321I.31, subsections 4 and 7, Code 2007,  
26 31 are amended to read as follows:  
26 32 4. If a dealer buys or acquires an all-terrain vehicle for  
26 33 resale, the dealer ~~shall report the acquisition to the county~~  
26 34 ~~recorder on forms provided by the department and~~ may apply for  
26 35 and obtain a certificate of title as provided in this chapter.  
27 1 If a dealer buys or acquires a used all-terrain vehicle, the  
27 2 dealer may apply for a certificate of title in the dealer's  
27 3 name within thirty days. If a dealer buys or acquires a new  
27 4 all-terrain vehicle for resale, the dealer may apply for a  
27 5 certificate of title in the dealer's name.  
27 6 7. The county recorder shall maintain a record of any  
27 7 certificate of title which the county recorder issues and  
27 8 shall keep each certificate of title on record until the  
27 9 certificate of title has been inactive for five years. When  
27 10 issuing a title for a new all-terrain vehicle, the county  
27 11 recorder shall obtain and keep on file a copy of the  
27 12 certificate of origin. When issuing a title and registration  
27 13 for a used all-terrain vehicle for which there is no title or  
27 14 registration, the county recorder shall obtain and keep on  
27 15 file the affidavit for the unregistered and untitled  
27 16 all-terrain vehicle.  
27 17 Sec. 50. Section 321I.31, subsection 10, Code 2007, is  
27 18 amended by striking the subsection.  
27 19 Sec. 51. Section 321I.32, subsections 2 and 4, Code 2007,  
27 20 are amended to read as follows:  
27 21 2. If a certificate of title is lost, stolen, mutilated,  
27 22 destroyed, or becomes illegible, the first lienholder or, if  
27 23 there is none, the owner named in the certificate, as shown by  
27 24 the county recorder's records, shall within thirty days obtain  
27 25 a duplicate by applying to the county recorder. The applicant  
27 26 shall furnish information the department requires concerning  
27 27 the original certificate and the circumstances of its loss,  
27 28 mutilation, or destruction. ~~Mutilated or illegible~~  
27 29 ~~certificates shall be returned to the department with the~~  
27 30 ~~application for a duplicate.~~  
27 31 4. If a lost or stolen original certificate of title for  
27 32 which a duplicate has been issued is recovered, the original  
27 33 shall be surrendered promptly to the ~~department~~ county  
27 34 recorder for cancellation.  
27 35 Sec. 52. Section 321I.34, subsection 3, Code 2007, is  
28 1 amended by striking the subsection and inserting in lieu  
28 2 thereof the following:  
28 3 3. When a security interest is discharged, the secured  
28 4 party shall note the cancellation of the security interest on  
28 5 the face of the certificate of title and send the title by  
28 6 first class mail to the office of the county recorder where  
28 7 the title was issued. If the title has been lost or  
28 8 destroyed, the secured party may discharge the security  
28 9 interest by sending a signed, notarized statement to the  
28 10 office of the county recorder where the title was issued. The  
28 11 county recorder shall note the release of the security  
28 12 interest in the county records and attach the statement to the  
28 13 certificate of title as evidence of the release of the  
28 14 security interest.  
28 15 Sec. 53. NEW SECTION. 321I.36 REPEAT OFFENDER ==  
28 16 RECORDS, ENFORCEMENT, AND PENALTIES.  
28 17 1. The commission shall establish by rule a recordkeeping  
28 18 system and other administrative procedures necessary to  
28 19 administer this section.

28 20 2. A person who pleads guilty to or is convicted of a  
28 21 violation of any provision of this chapter while the person's  
28 22 registration privilege is suspended or revoked under  
28 23 administrative procedures is guilty of a simple misdemeanor if  
28 24 the person had no other violations within the previous three  
28 25 years which occurred while the person's registration privilege  
28 26 was suspended or revoked.

28 27 3. A person who pleads guilty to or is convicted of a  
28 28 violation of any provision of this chapter while the person's  
28 29 registration privilege is suspended or revoked under  
28 30 administrative procedures is guilty of a serious misdemeanor  
28 31 if the person had one other violation within the previous  
28 32 three years which occurred while the person's registration  
28 33 privilege was suspended or revoked.

28 34 4. A person who pleads guilty to or is convicted of a  
28 35 violation of any provision of this chapter while the person's  
29 1 registration privilege is suspended or revoked under  
29 2 administrative procedures is guilty of an aggravated  
29 3 misdemeanor if the person had two or more convictions within  
29 4 the previous three years which occurred while the person's  
29 5 registration privilege was suspended or revoked.

29 6 5. a. Upon the conviction of a person of any violation of  
29 7 this chapter or a rule adopted under this chapter, the court,  
29 8 as a part of the judgment, may suspend or revoke one or more  
29 9 all-terrain vehicle registration or user permit privileges of  
29 10 the person for any definite period.

29 11 b. The court shall revoke all of the person's all-terrain  
29 12 vehicle registrations or user permits and suspend the  
29 13 privilege of procuring a registration or user permit for a  
29 14 period of one year for any person who has been convicted twice  
29 15 within one year of trespassing while operating an all-terrain  
29 16 vehicle. A person shall not be issued a registration or user  
29 17 permit during the period of suspension or revocation.

29 18 Sec. 54. Section 805.8B, subsection 2, Code 2007, is  
29 19 amended to read as follows:

29 20 2. ~~SNOWMOBILE AND ALL-TERRAIN VEHICLE VIOLATIONS.~~

29 21 a. For registration or user permit violations under  
29 22 ~~sections section 321G.3 and 321I.3, subsections 1 and 2,~~ the  
29 23 ~~scheduled fine is twenty fifty dollars. When the scheduled~~  
29 24 ~~fine is paid, the violator shall submit sufficient proof that~~  
29 25 ~~a valid registration or user permit has been obtained.~~

29 26 b. ~~(1) For operating violations under section 321G.9,~~  
29 27 ~~subsections 1, 2, 3, 4, 5, and 7, sections the scheduled fine~~  
29 28 ~~is fifty dollars.~~

29 29 ~~(2) For operating violations under sections 321G.11, and~~  
29 30 ~~321G.13, subsection 1, paragraph "d", sections 321I.10,~~  
29 31 ~~321I.12, and 321I.14, subsection 1, paragraph "d", the~~  
29 32 ~~scheduled fine is twenty dollars.~~

29 33 ~~(3) For operating violations under section 321G.13,~~  
29 34 ~~subsection 1, paragraphs "a", "b", "e", "f", "g", and "h", and~~  
29 35 ~~subsections 2 and 3, the scheduled fine is one hundred~~  
30 1 ~~dollars.~~

30 2 c. For improper or defective equipment under ~~sections~~  
30 3 ~~section 321G.12 and 321I.13,~~ the scheduled fine is twenty  
30 4 dollars.

30 5 d. For violations of ~~sections section 321G.19 and 321I.20,~~  
30 6 the scheduled fine is twenty dollars.

30 7 e. For identification violations under ~~sections section~~  
30 8 ~~321G.5 and 321I.6,~~ the scheduled fine is twenty dollars.

30 9 f. ~~For stop signal violations under section 321G.17, the~~  
30 10 ~~scheduled fine is one hundred dollars.~~

30 11 g. ~~For violations of section 321G.20 and for safety~~  
30 12 ~~certificate violations under section 321G.24, subsection 1,~~  
30 13 ~~the scheduled fine is fifty dollars.~~

30 14 h. ~~For violations of section 321G.21, the scheduled fine~~  
30 15 ~~is one hundred dollars.~~

30 16 Sec. 55. Section 805.8B, Code 2007, is amended by adding  
30 17 the following new subsection:

30 18 NEW SUBSECTION. 2A. ALL-TERRAIN VEHICLE VIOLATIONS.

30 19 a. For registration or user permit violations under  
30 20 section 321I.3, subsections 1 and 2, the scheduled fine is  
30 21 fifty dollars.

30 22 b. (1) For operating violations under sections 321I.12  
30 23 and 321I.14, subsection 1, paragraph "d", the scheduled fine  
30 24 is twenty dollars.

30 25 (2) For operating violations under section 321I.10,  
30 26 subsections 1 and 4, the scheduled fine is fifty dollars.

30 27 (3) For operating violations under section 321I.14,  
30 28 subsection 1, paragraphs "a", "e", "f", "g", and "h", and  
30 29 subsections 2, 3, 4, and 5, the scheduled fine is one hundred  
30 30 dollars.

30 31 c. For improper or defective equipment under section  
30 32 321I.13, the scheduled fine is twenty dollars.  
30 33 d. For violations of section 321I.20, the scheduled fine  
30 34 is twenty dollars.  
30 35 e. For identification violations under section 321I.6, the  
31 1 scheduled fine is twenty dollars.  
31 2 f. For stop signal violations under section 321I.18, the  
31 3 scheduled fine is one hundred dollars.  
31 4 g. For violations of section 321I.21 and for safety  
31 5 certificate violations under section 321I.26, subsection 1,  
31 6 the scheduled fine is fifty dollars.  
31 7 h. For violations of section 321I.22, the scheduled fine  
31 8 is one hundred dollars.  
31 9

31 10  
31 11

31 12 \_\_\_\_\_  
31 13 PATRICK J. MURPHY  
31 14 Speaker of the House  
31 15

31 16 \_\_\_\_\_  
31 17 JOHN P. KIBBIE  
31 18 President of the Senate  
31 19

31 20 I hereby certify that this bill originated in the House and  
31 21 is known as House File 742, Eighty-second General Assembly.  
31 22

31 23  
31 24  
31 25 \_\_\_\_\_  
31 26 MARK BRANDSGARD  
31 27 Chief Clerk of the House  
31 28

31 29 Approved \_\_\_\_\_, 2007  
31 30

31 31 \_\_\_\_\_  
31 32 CHESTER J. CULVER  
Governor